

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

**JOSE L. RODRIGUEZ
MADELEINE Y. DELGADO
Plaintiffs,**

VS.

**BANK OF AMERICA, N.A.
SUCCESSOR BY MERGER TO BAC
HOME LOANS SERVICING LP FOR
THE BENEFIT OF JPMORGAN
MORTGAGE ACQUISITION TRUST
Defendant.**

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Case No. 4:12CV125

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATIONS OF THE UNITED STATES MAGISTRATE JUDGE**

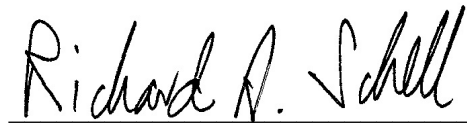
Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On October 4, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant Bank of America's Motion to Dismiss Plaintiffs' Original Verified Petition (Dkt. 4) be GRANTED and that Plaintiffs' claims in this matter be dismissed with prejudice.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court. Therefore, Defendant Bank of America's Motion to Dismiss Plaintiffs' Original

Verified Petition (Dkt. 4) is GRANTED and Plaintiffs' claims in this matter shall be dismissed with prejudice.

IT IS SO ORDERED.

SIGNED this the 7th day of February, 2013.

A handwritten signature in black ink, reading "Richard A. Schell". The signature is written in a cursive style with a horizontal line underneath the name.

RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE